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governmental duties, and the other private, in so far as it provides for the local needs and conveniences of its own citizens. In the former character only is the city to be deemed the agent of the state and subject to its absolute control, citing *People v. Coler* (*supra*); *New Orleans Ry. v. City of New Orleans*, 26 La. Annual, 478; *Atkins v. Town of Randolph*, 31 Vt. 237; *Western College v. City of Cleveland*, 12 Ohio St. 375. This twofold character of the municipality, and the line which marks the limit of legitimate legislative interference was clearly defined by Judge Cooley in *People v. Hurlbut*, 24 Mich. 44, 9 Am. Rep. 103. See also *Bailey v. New York*, 3 Hill, 531, 38 Am. Dec. 669, and *Allor v. The Auditor*, 43 Mich. 76, 4 N. W. 492, where it is said that "no business which is, in its nature, municipal, can be controlled by the state." On the other hand, many of the cases assert a very extensive power of control in the legislature over municipal corporations, with few if any limitations. *State v. Williams*, 68 Conn. 131, 48 L. R. A. 465, affirmed 170 U. S. 304, 42 Lawyer's Ed. 1048; *Frederick v. Groshon*, 30 Md. 436, 96 Am. Dec. 591. It is believed, however, that most of the cases could be harmonized on their facts, and that a city does have a private capacity in which it acts as the agent of its citizens, not as agent of the state, and where legislative interference is improper. In this view, the decision in the principal case was clearly sound in principle.

CONSTITUTIONAL LAW—PRIVILEGES AND IMMUNITIES OF CITIZENS—STATUTE AUTHORIZING PERSONAL JUDGMENT ON CONSTRUCTIVE SERVICE.—A citizen of Kentucky, brought this action for slander and for alleged false imprisonment of the plaintiff by the defendant, in the state court against F. M. K., a citizen of Pennsylvania, but who at the time was doing business in the city of Louisville under the name of F. M. K. & Co. The plaintiff caused a summons to be issued thereon against the defendant, which was served on the agent of F. M. K., who was in charge of the said business, F. M. K. being a non-resident of the state of Kentucky. This summons was served according to subsection 6 of section 51 of the code of Kentucky, which reads, "in actions against an individual residing in another state, engaged in business in this state, the summons may be served on the manager, or agent of, or person in charge of such business in this state." The defendant moved to quash the return of the summons because of the invalidity of the statute. *Held*, that the statute was unconstitutional. *Moredock v. Kirby*, (1902), —C. C. A.—, 118 Fed. Rep. 180. A month later, a similar statute of the state of Minnesota was declared unconstitutional for like reasons. *Cabonne v. Graf* (1902), —Minn.—, 92 N. W. Rep. 461.

Aside from these two decisions, the precise question involved in these cases does not seem to have been decided before by any court. The court declares the statute invalid for two reasons. First, as in violation of the constitutional provision that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. *Slaughterhouse Cases*, 16 Wall. 77, 21 L. ed. 394. Second, without personal service upon the defendant it would not be "due process of law." *Pennoyer v. Neff*, 95 U. S. 730, 24 L. ed. 565; *Ins. Co. v. French*, 18 How. 406, 15 L. ed. 451; *Dartmouth College v. Woodward*, 4 Wheat. 518. Many questions very closely related to this one have been adjudicated upon by the courts with the same general result. *D'Arcy v. Ketchum*, 52 U. S. 11 How. 165; *Knowles v. Logansport Gaslight & Coke Co.*, 86 U. S. 19 Wall. 58; *Bell v. Morrison*, 1 Peters, 351; *Hall v. Lanning*, 91 U. S. 160; *Brooks v. Dun*, 51 Fed. Rep. 138; *Wilson v. Seligman*, 144 U. S. 41.

CORPORATIONS—NOTICE TO CORPORATORS.—Chattels were sold and delivered with a reservation of title in the vendor till payment. The statute